

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

ANTOINE MARQUET CLEMONS,

Case No. 22-CV-1198 (NEB/TNL)

Petitioner,

v.

ORDER ACCEPTING REPORT AND
RECOMMENDATION

B. EISCHEN, FPC-Duluth, Warden,

Respondent.

The Court has received the June 9, 2023 Report and Recommendation of United States Magistrate Judge Tony N. Leung. (ECF No. 17.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 17) is ACCEPTED;
2. Clemons' Petition for Writ of Habeas Corpus under 28 U.S.C. Section 2241 (ECF No. 1) is DENIED AS MOOT; and
3. The action is DISMISSED WITHOUT PREJUDICE for lack of jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 27, 2023

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge